

00862.022199.



PATENT APPLICATION

~~SEARCHED~~ IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Keiji EMOTO

Application No.: 09/833,766

Filed: April 13, 2001

For: PIPE STRUCTURE, ALIGNMENT APPARATUS,
ELECTRON BEAM LITHOGRAPHY
APPARATUS, EXPOSURE APPARATUS,
EXPOSURE APPARATUS MAINTENANCE
METHOD, SEMICONDUCTOR DEVICE
MANUFACTURING METHOD, AND SEMI-
CONDUCTOR MANUFACTURING FACTORY

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: Examiner: P. Rodriguez
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: Group Art Unit: 2125
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) July 28, 2003
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JUL 29 2003

Technology Center 2100

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Response to Restriction Requirement in the above-identified application.

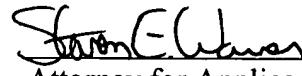
No additional fee is required.

The fee has been calculated as shown below:

CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS	25	MINUS	25	= 0	x \$9 \$18	\$0.00
INDEP. CLAIMS	3	MINUS	3	= 0	x \$42 \$84	\$0.00
Fee for Multiple Dependent claims \$140/\$280						—
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0.00

- °Verified Statement claiming small entity status is enclosed, if not filed previously.
- A check in the amount of \$_____ is enclosed including the additional claims fee.
- Charge \$____ to Deposit Account No. 06-1205. A duplicate of this sheet is enclosed.
- Any prior general authorization to charge an issue fee under 37 CFR 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 and 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205. A duplicate of this paper is enclosed.
- A check in the amount of \$_____ to cover the fee for a two month extension is enclosed.
- A check in the amount of \$_____ to cover the Information Disclosure Statement fee is enclosed.
- Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address given below.

Respectfully submitted,



Attorney for Applicant
Steven E. Warner
Registration No. 33,326

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RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Applicant respectfully traverses the restriction requirement set forth in the Office Action dated July 11, 2003.

In the Office Action, the Examiner sets forth a restriction requirement between two groups of claims. Group I, claims 1-11 and 15-25, is drawn to a double pipe structure, and is classified in class 138, subclass 111. Group II, claims 12-14, is drawn to an electrical conductor with a vacuum conduit, and is classified in class 174, subclass 8.

The Examiner contends that the inventions of Groups I and II are unrelated, and have acquired a separate status in the art as shown by their different classification such that the searches are not coextensive, requiring separate examination. These contentions are respectfully traversed.

Applicant notes that the inventions of Groups I and II are so closely related in the field of pipe structure, including a double pipe and a discharge mechanism, that a proper search of any of the claims would, of necessity, require a search of the others. Thus, it is submitted that all of the claims can be searched simultaneously, and that a duplicative search, with possibly inconsistent results, may occur if the restriction requirement is maintained.

Applicant further submits that any nominal burden placed upon the Examiner to search an additional subclass or two, necessary to determine the art relevant to Applicant's overall invention, is significantly outweighed by the public interest in not having to obtain and study several separate patents in order to have available all of the issued patent claims covering Applicant's invention. The alternative is to proceed with the filing of multiple applications, each consisting of generally the same disclosure, and each being subjected to essentially the same search, perhaps by different Examiners on different occasions. This places an unnecessary burden on both the Patent and Trademark Office and on Applicant.

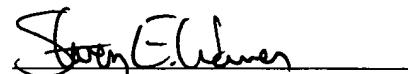
In the interest of economy, for the Office, for the public-at-large and for Applicant, reconsideration and withdrawal of the restriction requirement are requested.

Nevertheless, in order to comply with the requirements of 37 CFR 1.143, Applicant provisionally elects, with traverse, to prosecute the invention of Group I, namely claims 1-11 and 15-25.

Favorable consideration and an early passage to issue are also requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address listed below.

Respectfully submitted,



Attorney for Applicant
Steven E. Warner
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